

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG**

CHRISTOPHER W. ODEN,

Plaintiff,

v.

**CIVIL ACTION NO.: 3:20-CV-85
(GROH)**

SOCIAL SECURITY ADMINISTRATION,

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION

On this day, the above-styled matter came before this Court for consideration of the Report and Recommendation (“R&R”) of United States Magistrate Judge James P. Mazzone [ECF No. 10], entered on September 30, 2020, to which neither party has filed any objections to date.

Pursuant to 28 U.S.C. § 636(b)(1)(C), this Court is required to make a *de novo* review of those portions of the R&R to which objection is made. However, failure to file objections permits the district court to review the R&R under the standard that it believes to be appropriate, and under this circumstance, the parties’ right to *de novo* review is waived. See Webb v. Califano, 468 F. Supp. 825, 830-31 (E.D. Cal. 1979).

Pursuant to Magistrate Judge Mazzone’s R&R, as well as 28 U.S.C. § 636(b)(1)(C) and Federal Rule of Civil Procedure 6, objections were due within fourteen days after entry of the R&R. The Court notes that the Plaintiff is *pro se*, and according to the docket, he received the R&R on October 7, 2020. Accordingly, because no objections have been filed, this Court reviews the R&R for clear error.


In this matter, Magistrate Judge Mazzone found that the Plaintiff failed to prosecute his case as required under the applicable statutory and local rules. It is the opinion of this Court that Magistrate Judge Mazzone's Report and Recommendation [ECF No. 10] should be, and is, hereby **ORDERED ADOPTED**. For the reasons more fully stated in the Report and Recommendation, this Court **ORDERS** that this civil action is hereby **DISMISSED WITH PREJUDICE**.

This matter shall be **STRICKEN** from the Court's active docket.

Pursuant to Federal Rule of Civil Procedure 58, the Clerk is **DIRECTED** to enter a separate order of judgment in favor of the Defendant and to transmit copies of this Order to all counsel of record herein and the *pro se* Plaintiff.

It is so **ORDERED**.

DATED: November 12, 2020


GINA M. GROH
CHIEF UNITED STATES DISTRICT JUDGE